

## **REMARKS**

Claims 1 and 8 – 12 are currently under consideration. Claims 2 – 7 and 13 – 15 have been withdrawn as being directed to a non-elected species.

The Examiner noted that an Information Disclosure Statement has not been filed. In response, an Information Disclosure Statement is enclosed.

The Abstract has been amended to conform with requirements as stated by the Examiner.

Claim 1 is objected to because of an informality on line 6, which has been corrected.

Claims 1 and 8 – 12 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Examiner has made a suggestion regarding an amendment which would clarify Claims 1 and 9, which have been amended to incorporate those suggestions. The Examiner's assistance is appreciated.

Claims 1, 8, 11 and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi, U.S. Patent 6,179,364 ("Takahashi"). Applicants respectfully traverse this rejection and request that Claims 1, 8, 11 and 12 be reconsidered in view of the amendment of Claim 1, and these remarks, and passed to issue.

The Examiner is correct that Takahashi discloses an engine hood having a deformable head impact zone having a rigidity profile in which the rigidity of the hood increases from front to rear. Takahashi does not, however, disclose a hood having flexural strength which varies with both the longitudinal dimension and the lateral dimension of the hood, as set forth in Applicant's amended Claim 1. As amended, Claim 1 recites that the hood has a flexural strength profile which varies over both longitudinal dimension and the lateral dimension of the hood, with the flexural strength having a lower value adjacent the

edges of the hood and a higher value in the middle region of the hood, and with the flexural strength lying between these two values in the region between the middle and outer margins of the hood. This attribute of Applicants' claimed hood is clearly shown in Fig. 2 of Applicants' specification, wherein it is noted that the flexural rigidity increases both from front to back of the hood and also from the lateral extremes of the hood to the center of the hood. Thus, Applicants' amended Claim 1 patentability defines over Takahashi because Takahashi shows a construction in which the flexural stiffness varies only from the front to rear of the hood; Takahashi does not disclose flexural stiffness as being dependent upon the lateral position under consideration. As a result, each of the claims in this case is now believed to be in condition for allowance and should be passed to issue. Such action is earnestly solicited.

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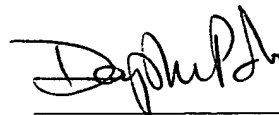
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CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13 day of April, 2004.



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